

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

DARRYL WARD,

Plaintiff,

v.

OPINION & ORDER

OFFICER PRESTON, SGT. JORDAN,  
OFFICER JONES, SGT. JOHN DOE,  
And OFFICER JOHN DOE,

17-cv-340-jdp

Defendants.

---

Plaintiff Darryl Ward has filed a motion for summary judgment. Dkt. 20. Defendants contend that Ward's motion should be denied because it is untimely and because it does not include a proposed statement of facts or evidentiary support. Dkt. 21.

Ward says that he placed his motion in the prison's mail box on September 24, the extended dispositive motions deadline. Dkt. 20-1. The court received the motion soon after, so I'll accept Ward's representation and I will not deny the motion as untimely.

Defendants are correct that plaintiff did not follow this court's summary judgment procedures, which are explained in the preliminary pretrial conference order. Dkt. 16. Ward did not provide a statement of proposed fact or evidentiary support for those facts. But Ward's motion is relatively straightforward and for the most part, the facts he asserts could be supported by his own affidavit. I will give Ward the chance supplement his motion with a statement of proposed facts and supporting evidence. He should review the summary judgment procedures in the pretrial conference order. Ward must supplement his motion by October 15, 2018. Defendants will have 30 days to respond; Ward will have 15 days after that to file any reply.

One last point: Ward is at an institution that participates in the court's electronic filing system; he should use it.

ORDER

IT IS ORDERED that plaintiff Darryl Ward has until October 15, 2018, to supplement his motion for summary judgment, Dkt. 20, with a statement of proposed facts and supporting evidence.

Entered October 3, 2018.

BY THE COURT:

/s/

---

JAMES D. PETERSON  
District Judge